UNITED NATIONS

CEDAW

Convention on the Elimination of All Forms of Discrimination against Women

Distr.
GENERAL

CEDAW/C/SR.314
12 March 1998

ORIGINAL: ENGLISH

COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Sixteenth session

SUMMARY RECORD OF THE 314th MEETING

Held at Headquarters, New York,
on Wednesday, 15 January 1997, at 10.15 a.m.

Chairperson: Ms. KHAN

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The meeting was called to order at 10.30 a.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Initial report of Slovenia (CEDAW/C/SVN.1)

1. At the invitation of the Chairperson, Mr. Türk and Ms. Kozmik (Slovenia) took places at the Committee table.

2. Mr. TÜRK (Slovenia) said that his Government attached great importance to human rights treaties, particularly the Convention on the Elimination of All Forms of Discrimination against Women. International human rights standards had been a powerful source of inspiration in the drafting of Slovenia's constitution and in its policy-making. On the occasion of the notification of succession to the multilateral treaties concluded by the former Yugoslavia, Slovenia had declared that such treaties were binding on it as a successor State from the very day of its proclamation of independence. Thus the implementation of those treaties had proceeded without interruption. He hoped that the Convention would soon be strengthened by the adoption of an optional protocol containing the procedure for dealing with individual complaints.

3. Ms. KOZMIK (Slovenia), introducing her country's initial report, said that while progress had been made in some spheres of women's lives, in others there was considerable backwardness. The principles enshrined in international human rights instruments, in particular, the Convention on the Elimination of All Forms of Discrimination against Women, played a crucial role in defending the rights of women in Slovenian society. In that regard, under the Constitution of Slovenia, the Convention could be invoked before domestic courts, and international instruments took precedence over national law.

4. The Commission for Women's Affairs, responsible for the implementation of the gender equality principle in legal documents passed by legislative bodies, had been established in July 1990, following the first multi-party elections. In July 1992, as a result of that Commission's efforts, the Government had established the Office for Women's Policies. It was responsible for monitoring the status of women and for implementing the rights of women guaranteed by the Constitution, laws and international agreements. It had the authority to participate in the preparation of laws and other acts, measures and programmes adopted by the Government and to make proposals regarding measures to be adopted in that area.

5. The initial report had been prepared by the Office for Women's Policies in cooperation with relevant ministries and other institutions and non-governmental organizations. The original report, which had been sent to the Secretary-General in 1993, had been published as a booklet and widely distributed within Slovenia. The report was an invaluable source of reference for Slovenia's development of strategies and programmes for the promotion of gender equality. It had been prepared in a period marked by dramatic changes and transition in many areas - economic, political and legal - and considerable difficulties had

been encountered in the gathering of data, especially disaggregated gender-based data. Most of the data had been updated with information covering the past two or three years in the form of an appendix to the initial report.

6. Her Government had effectively dealt with all the aftershocks of the disintegration of the former Yugoslavia. By applying several years of anti-inflation and anti-recessive policy, Slovenia had achieved macroeconomic stability in a relatively short time, along with an open and stable market economy. The gross domestic product had begun to grow again, and the country had had a budget surplus. The unemployment rate had even stabilized in the last two years.

7. The principle of equality between men and women was not being implemented in all areas of life to the same extent, despite the constitutional and legislative guarantees in that regard. Democratic elections and the introduction of parliamentary democracy had actually meant a decline in the share of women in political decision-making. Against all expectations, the November 1996 elections had reduced even further women's representation in political decision-making. A proposed law to ensure that one third of all party nominees would be women, with that share increasing by 5 per cent during every mandate period until equal representation was achieved, had unfortunately been rejected by a majority deputy vote. Effective measures needed to be developed in order to increase the participation of women in decision-making, and the electorate must be kept better informed.

8. In order to protect human rights and fundamental freedoms, the Constitution provided for a special institution for the informal protection of the rights of citizens. In recent years, no one had been sentenced for a violation of the principle of equality.

9. With respect to family matters, she noted that the foundations of family policy were determined by a 1993 resolution on the foundation of family policy. A special department for family affairs had been established within the Ministry of Labour, Family and Social Affairs. The new policy was based on the principles of universality, respect for the autonomy of the family and of its members and protection of the rights of the child. The State provided financial support to families in the form of cash benefits for disadvantaged families, child benefits, tax relief and subsidized day care. A crucial point worth bearing in mind was that all sociological research pointed to worsening conditions for starting a family.

10. Turning to education, she noted that illiteracy was almost non-existent in Slovenia. In 1996, a number of new laws had been passed on the thorough reform of schools over the next few years. While the Constitution of Slovenia guaranteed gender equality in education, research showed continued discrimination. In that regard, textbooks used in primary schools would be examined in the context of curricula reform. One of the main reasons for the much lower share of women in postgraduate studies than in undergraduate studies was that postgraduate studies corresponded to the child-bearing period of women, who were expected to care for and raise children. In order to improve that situation, the State should establish mechanisms for relieving women of those burdens and strive to bring about a change in attitudes.

11. Women frequently faced discrimination in employment. A high proportion of women worked full-time, creating the double burden of family and work. Steps to ease that burden, such as establishing a day-care centre network, had been taken in the socialist period, but further measures were needed as part of the Government's family policy. There was also a feminization of some professions, for example, medical and social care.

12. There had been rising unemployment since 1986, most of the unemployed being men, with unemployment among women having fallen. Women formed the majority of first-time job seekers, because they had difficulties in finding jobs, as employers expected them to take long maternity leaves. The State regulated compulsory medical, retirement, disability and other social insurance.

13. Reform of retirement and disability insurance was currently under consideration, in response to an ageing population. The pension system, too, was under strain. Current legislation allowed women to retire at the age of 58 after 35 years of work, compared with a retirement age for men of 63 after 40 years of work. Equalization of those provisions was envisaged. Because women had a greater life expectancy, they represented a majority of pensioners. Women had lower average pensions, because they usually worked in less well-paid jobs and in sectors where salaries were lower, and because they took frequent sick leave, in part to care for children, which then affected their pensions.

14. Maternity leave was 105 days, and child-care leave 260 days. Maternity benefit equalled 100 per cent of basic salary. Child-care leave could be taken by a father, if the mother agreed, although the proportion of men taking such leave was not very high as a result of traditional attitudes.

15. With regard to health care, the most common non-fatal, chronic illnesses in women under 40 were gall bladder and ergonomic diseases; the latter could be reduced significantly by regular industrial physiotherapy and adequate training. The most common causes of death in women under 64 were cancer and cardiovascular diseases. The mortality rate for cervical cancer had not changed significantly in recent years, and a monitoring programme was planned in the hope of achieving a 15 per cent reduction in its incidence by the year 2005.

16. All persons were guaranteed the right to health care, as prescribed by law, under the Constitution. Employed adults could take out voluntary health insurance in addition to compulsory insurance. Compulsory insurance guaranteed free family planning advice for women, with those insured paying a maximum of 15 per cent of the cost of services. In that regard there was a constitutional right to abortion; that was seen as a human right of women, not as a recommended contraceptive method.

17. All medical services relating to pregnancy and childbirth were free, and a very high percentage of women saw consultants. As a result, maternal and infant mortality rates were extremely low.

18. There were very few cases of acquired immunodeficiency syndrome among women, but a number of measures were being taken throughout the country to combat the disorder.

19. Although no data on mental health, disaggregated by gender, were available, the mental health of women was a special health problem. More and more non-governmental organizations were being formed to deal with mental disorders.

20. The transition period in Slovenia had left women on the sidelines, posing a challenge. The Government had committed itself to implementing the Beijing Platform for Action, through the Office for Women's Policies. Much progress had been made: the Beijing Declaration and Platform for Action had been translated into Slovene, and copies had been widely circulated. Expert groups had been formed to prepare a national strategy, and an analysis of the areas most in need of action had been carried out, with identification of priorities. It was anticipated that a national programme, the first aimed at promoting gender equality, would be ready for adoption by the summer of 1997. Priorities included strengthening national machinery, mainstreaming gender equality into all government policies and programmes, increasing the representation of women in political and public life, raising awareness of gender equality, reconciling professional and family life and preventing violence against women.

21. The CHAIRPERSON invited the members of the Committee to consider the initial report of Slovenia.

General observations and comments

22. Ms. GONZÁLEZ MARTÍNEZ said that the composition of the delegation was an indication of the Government's commitment to the advancement of women. The report was well structured and provided useful information. With regard to parliamentary institutions, she wished to know how many women members of the National Assembly there were, what the composition of the Committee for Women's Policies was, and whether it included any members of the National Assembly. The report did not indicate the structure of the Office for Women's Policies, or what its status was within the Government. Accordingly, she asked whether it was an independent organ, or subordinate to some other ministry. Lastly, she asked how widely the text of the Convention had been disseminated.

23. Ms. OUEDRAOGO said that the size of the delegation indicated a strong commitment to women's rights, as did the timely submission of the report, which had been prepared in accordance with the Committee's guidelines. The provision of statistical information was very useful, since it enabled the experts to assess the real situation of women. Nevertheless, the status and structure of the Office for Women's Policies were not clear. She asked how the Office coordinated with the many women's organizations in the country, particularly with regard to initiatives for the advancement of women.

24. Ms. SCHÖPP-SCHILLING said that the efforts made by the Government in favour of women were very impressive, particularly in a country in transition. The Government displayed decisive insight into the difficulties facing women, and had given strong support to the future optional protocol. She welcomed the emphasis on the Beijing Platform for Action and the efforts to publicize the initial report.

25. Ms. JAVATE DE DIOS said that the report was very helpful: it followed the Committee's guidelines and contained much recent data. The gains made by women

in Slovenia were impressive, given the transition in the country. She welcomed the positive measures taken to integrate human rights principles, including gender equality, in all policies. She also welcomed the openness towards non-governmental organizations, the frank approach towards difficulties and the prompt implementation of the Beijing Platform for Action.

26. Ms. SHALEV commended the delegation on the quality of the report. She asked what cases involving women's issues had been brought before the Constitutional Court, and what the outcome had been. Noting that the Convention could be invoked before domestic courts, she asked whether that had occurred, and, if so, with what outcome.

27. Ms. ABAKA commended the Government of Slovenia on its ratification of the Convention and on the quality of its initial report. There was, however, no reference to any of the Committee's general recommendations, which were intended to promote implementation of the provisions of the Convention. She noted that economic transition and structural adjustment nearly always had an immediate negative impact on women and children, particularly on health and education, and asked what mitigating measures had been taken. She commended the Government on having accepted refugees, despite the problems that would create for a small country.

Article 2

28. Ms. RYEL said that it was impressive that the Office for Women's Policies, as well as a number of non-governmental bodies, had been actively involved in the preparation of the report.

29. Although much progress had been made in a few years, including improvements in legislation, the presence of appropriate implementation mechanisms was most important. She wondered whether a human rights ombudsman had been appointed as provided for in the Constitution, and if so, whether the ombudsman had received any gender-related complaints, and what issues had so far been dealt with.

30. Ms. SCHÖPP-SCHILLING asked about the relationship between the Constitution and labour law, and how sexual discrimination in employment was dealt with. She asked for clarification concerning the text of the equality provision in the Constitution, in which some of the definitions seemed to be geared towards a strictly maternal role for women rather than viewing them as individuals on the same basis as men. She commended the Government for the swift establishment of the Office for Women's Policies, and wondered what its structure was, who controlled its budget, whether it was attached to a specific Government ministry, how it was represented on the Cabinet and whether its role was purely advisory. She also asked whether any special administrative units concerned with the gender dimension existed within particular Government departments, and whether the current Government had formulated any policy on women.

31. She asked for more information regarding the need to scrutinize current legislation to ensure that instances of indirect and covert discrimination were detected and removed, and suggested that such a review could be a task for the Office for Women's Policies. She also wondered whether there was any specific legislation, other than the Constitution, prohibiting discrimination in fields

such as employment, education and health; and she asked whether the new legislation in the areas of family policy, social security and taxation was geared towards women and men as individuals, or whether their family status played a role.

32. Ms. LIN Shangzhen commended the Slovene delegation for the quality of the report and of its oral presentation, and asked for more specific information as to how laws prohibiting sexual discrimination were being implemented in practice.

Article 3

33. Ms. CORTI thanked the representatives of Slovenia for their very frank oral presentation, and for having placed due emphasis on areas of concern. She wondered why the national machinery had been created by decree rather than by law, since a law would have had greater authority and durability; and on what grounds it had been decided not to create a ministry for women's affairs.

34. In addition, she would welcome additional information as to the appointment and composition of the staff of the national machinery; for example, were there any representatives of political parties, trade unions or non-governmental organizations? She also asked whether the financing of the national machinery was provided for in the national budget.

35. Ms. JAVATE DE DIOS asked for additional information concerning coordination between the Office for Women's Policies and other government departments, how monitoring of the status of women was carried out and what indicators were used. She would also be interested in more details as to how the Convention was publicized, whether it was available in translation and in a popular form; and how programmes initiated by the Office were integrated into Government policy.

36. She wondered whether legislative texts such as the Penal Code had been examined to determine whether there were any remaining discriminatory effects upon women, how bills on women's issues were prioritized in Parliament and how many had been passed.

Article 4

37. Ms. FERRER GÓMEZ said that it was gratifying that one of the first tasks of the Office for Women's Policies had been to prepare the report currently before the Committee.

38. Referring to the paragraph concerning protection of female employees from the harmful effects of certain production and technological processes, she asked whether women who would bear no more children were still covered by the legislation.

39. Ms. BUSTELO GARCÍA DEL REAL, referring to the statement in the report that there were no temporary measures for the realization of equality, said that it was not sufficient that legislation should comply with the Convention, just as the absence of complaints concerning the right to equality did not necessarily demonstrate that there were no violations. The statistics reflected a

considerable discrepancy between formal equality and real equality. Effective implementation was essential, particularly for the protection of the most vulnerable groups of women, and affirmative action was necessary in order to achieve changes in attitudes and in social structures.

40. She wondered whether enough use was being made of the Convention, which had the force of law in Slovenia, and whether it was being publicized sufficiently; for example, was it available in a form which could be understood by schoolchildren, so that it could be used for educational purposes, to change sexual stereotypes and to combat domestic violence?

41. She agreed with Ms. Corti that programmes and mechanisms for gender equality would have greater authority and durability if they were created by law.

42. Ms. Yung-Chung KIM said that, although legislative provisions for paternity leave apparently existed, it seemed from the oral presentation that very few men took advantage of it. She presumed that that was due to the traditional division of labour between women and men, and wondered how that could be reconciled with the provisions of the Constitution which stipulated that both parents had the right and duty to bring up their children.

43. Ms. SCHÖPP-SCHILLING said that improvements in the situation of women would not be achieved without affirmative action, particularly in a country such as Slovenia which was going through a major transition. For example, it was very important to quickly promote the employment of young women in jobs which were not traditionally feminine; if that was not done, sexual stereotypes would be reinforced. The Convention was an excellent tool for achieving such improvements, but Slovenia, which had increasingly close ties with the European Union, should also bear in mind its directives concerning affirmative action. She asked whether the Government had any plans to introduce affirmative action measures, and if not, what obstacles might prevent it.

44. Ms. JAVATE DE DIOS said that, in the spirit of article 4 and in the light of the remaining gender gaps described in the report, measures should be introduced to enhance women's participation in politics, to promote equitable parental responsibility for child care, to encourage women to enter non-traditional fields such as engineering, science and technology and to foster educational and media efforts to change stereotypes.

45. Concerning the protection of women workers from certain production and technological processes, she said that such measures should be implemented in the private sector as well as in publicly owned enterprises. Also in the spirit of article 4, the rights of other vulnerable groups of women such as the elderly should also be protected.

46. Ms. LIN Shangzhen asked what measures the Government intended to take to increase the representation of women in the political and economic spheres.

Article 5

47. Ms. CORTI said that article 5, to which the Committee attached great importance, was one of the most difficult to implement because it dealt with the modification of social and cultural patterns of conduct. While Slovenia had made commendable progress in that area, much remained to be done. With reference to the decline in the number of marriages, she wondered whether any research had been done to determine the causes of that trend in Slovenia. In addition, she would welcome clarification of what was meant by the drop in the quality of life of households.

48. On the subject of violence against women, it would be helpful if the Committee could be provided with additional data on the incidence and causes of that phenomenon. The report also lacked information on the measures being taken to change the negative stereotypes of women and on the contribution of the media to those efforts. She wondered, moreover, whether the proposals emanating from the Round Table Discussion on Violence Against Women, which had been organized in 1993 by the Office for Women's Policies, had since been implemented. She also wished to know who provided the SOS telephone services to victims of domestic violence and whether those services were available on a 24-hour basis. She noted, finally, that article 54 of the Constitution of Slovenia stipulated that parents had the right and duty to provide for, educate and bring up their children. It would be interesting to know how those provisions were being implemented in practice.

49. Ms. CARTWRIGHT said that, if indeed the proposals put forward at the Round Table Discussion on Violence Against Women had been implemented, it would now be useful to evaluate their effectiveness. Having identified the problem of violence against women, Slovenia must now devise solutions to the problem. One approach which had proved helpful in other countries was to disseminate information on the issue to selected groups, including the police and the judiciary. In that connection, she wondered whether the police force in Slovenia was being trained to develop greater awareness of the incidence of violence against women and the impact of such violence on all aspects of women's lives and on the society at large.

50. Ms. GONZÁLEZ MARTÍNEZ said that it was important to draw a distinction between general crimes of which women happened to be the victims and crimes of which women were the specific targets. In that connection, she wondered whether violence committed against women in a domestic situation were characterized as crimes. She believed that the punishment for the sexual abuse of minors under the age of 14 should be much more severe than that currently provided. Finally, she regretted that the Round Table Discussion had not resulted in any proposals for the punishment of domestic violence.

51. Ms. Yung-Chung KIM asked what steps were being taken by the Government to deal with the problem of violence against women and what the position of civil groups on that issue was.

52. Ms. OUEDRAOGO sought an explanation for the increase in the amount of work done by women in the home. She also wondered whether, given the importance of the family to the stability of society, there were any programmes in place to

prepare young people for marriage and family life. It would be interesting to know, finally, how widespread the phenomenon of single-parent households was.

53. Ms. JAVATE DE DIOS asked what assistance was given to single parents and their children. She wondered, moreover, whether de facto relationships came under the purview of current legislation and, if so, what the rights and obligations of the partners were, should the "union" be dissolved. It would be helpful if the Committee could be provided with additional data on the incidence of sexual harassment and on the steps being taken by the Government to combat it. She noted that punishment was provided for sexual harassment only if the guilty party was older than or exercised authority over the victim. In her view, the crime should not be so narrowly circumscribed. Programmes must be developed to increase public awareness of the problem of sexual harassment, particularly among the police and judiciary, in schools and in the workplace. With regard to pornography, reports had indicated that the rise of that phenomenon was tied to the political and social liberalization taking place in Eastern Europe. She wondered whether any studies had been carried out on the impact of pornography on reinforcing negative stereotypes of women and on creating a climate propitious to violence against women.

The meeting rose at 1 p.m.